

**Senate File 405 - Introduced**

SENATE FILE 405  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SF 60)

**A BILL FOR**

1 An Act relating to the use of bisphenol A in certain products,  
2 providing penalties, and including effective date  
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.181 **Bisphenol A prohibition.**

2 1. As used in this section, unless the context otherwise  
3 requires:

4 a. "*Infant pacifier*" means a device designed to be bitten  
5 or sucked by an infant for the sole purpose of soothing or  
6 providing comfort to the infant.

7 b. "*Reusable beverage container*" means a receptacle for  
8 storing beverages, including baby bottles and spill-proof  
9 cups. "*Reusable beverage container*" does not include beverage  
10 containers intended for disposal after initial usage.

11 2. Beginning January 1, 2013, a person shall not  
12 manufacture, sell, or distribute in commerce in this state  
13 any infant pacifier or reusable beverage container containing  
14 bisphenol A.

15 3. A manufacturer shall use the least toxic alternative when  
16 replacing bisphenol A in accordance with this section.

17 4. In complying with this section, a manufacturer shall  
18 not replace bisphenol A with a substance rated by the United  
19 States environmental protection agency as a class A, B, or  
20 C carcinogen or a substance listed on the agency's list of  
21 chemicals evaluated for carcinogenic potential as known or  
22 likely carcinogens, known to be human carcinogens, likely to be  
23 human carcinogens, or suggestive of being carcinogens.

24 5. In complying with this section, a manufacturer shall not  
25 replace bisphenol A with a reproductive toxicant that has been  
26 identified by the United States environmental protection agency  
27 as causing birth defects, reproductive harm, or developmental  
28 harm.

29 6. A person who violates this section is subject to a civil  
30 penalty of one thousand dollars for each violation.

31 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,  
32 2013.

33 EXPLANATION

34 This bill relates to the use of bisphenol A in certain  
35 products.

1 The bill, beginning January 1, 2013, prohibits the  
2 manufacture, sale, or distribution of any infant pacifier or  
3 reusable beverage container containing bisphenol A. The bill  
4 requires manufacturers to use the least toxic alternative when  
5 replacing bisphenol A in a product and prohibits the use of  
6 certain substances as replacements for bisphenol A in products.  
7 The bill provides that a person who violates the provisions  
8 of the bill is subject to a civil penalty of \$1,000 for each  
9 violation.

10 The bill takes effect January 1, 2013.